IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 8TH MAY 2007 / 18TH VAISAKHA 1929

Crl.MC.No. 1334 of 2007()

CC.294/2000 of JUDL. MAGISTRATE OF FIRST CLASS COURT, VARKALA

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PETITIONER:

AJU SEN, VALSALA BHAVAN, MAITHANAM, VARKALA.

BY ADV. SRI.R.ANILKUMAR

RESPONDENTS:

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1. STATE OF KERALA, REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

2. GOPALAN BABY, KODIYIL VEEDU, THACHANKONAM, VARKALA.

BY PUBLIC PROSECUTOR SRI. AMJAD ALI

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 08/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Crl.M.C. No. 1334 of 2007

DATED: 8-05-2007

O R D E R

In this petition filed under Sec. 482 Cr.P.C. the petitioner prays for a direction to the Magistrate to dispose of his application for regular bail.

2. Consequent on the non-appearance of the petitioner in C.C.No. 793 of 2006 before the J.F.C.M., Varkala non-bailable warrants of arrest are pending against the petitioner. This court will be loathe to issue any direction so as to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within **two weeks** from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance.

With the above observation this application is disposed of .

V.RAMKUMAR, JUDGE.

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